

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

| | | |
|----------------|---|---------------------|
| TANISHA JONES, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Cause No. |
| |) | |
| MACY’S, INC., |) | JURY TRIAL DEMANDED |
| |) | |
| Defendant. |) | |

NOTICE OF REMOVAL

COMES NOW Defendant Macy’s, Inc., by and through counsel, and pursuant to 28 U.S.C. §1446, respectfully represents to the Court as follows for its Notice of Removal:

1. On March 17, 2020, Plaintiff Tanisha Jones filed the present action against Macy’s, Inc. in the Circuit Court of St. Louis County.

2. Defendant Macy’s, Inc.’s is a Delaware Corporation with its principal place of business in New York. *See Exhibit 1, Plaintiff’s Petition.*

3. Plaintiff is a citizen and resident of the State of Missouri. *See Exhibit 1, Plaintiff’s Petition.*

4. Defendant Macy’s, Inc. at the time of filing this Notice, as well as at the time of the filing of this case and at the time it became removable, and at all times mentioned herein, is and was a citizen and resident of the States of Delaware and New York. Plaintiff is a citizen and resident of the State of Missouri. Therefore diversity of citizenship exists between Plaintiff and Defendants pursuant to 28 U.S.C. §§ 1332 and 1446.

5. Plaintiff has filed suit in the Circuit Court of St. Louis County, State of Missouri, Cause No. 20SL-CC01680 against Defendant Macy’s, Inc. *See Exhibit 1, Plaintiff’s Petition.*

6. Plaintiff prays for actual damages as determined at trial for past and future medical expenses and for permanent injuries, all of which are in excess of \$25,000. *See Exhibit 1, Plaintiff's Petition.*

7. Prior to suit being filed, Defendant Macy's, Inc. acquired medical bills for treatment claimed by Plaintiff in this case in excess of \$75,000 and Plaintiff made a settlement demand in this case far in excess of \$75,000. Therefore, this Defendant has a good faith reason to believe that Plaintiff is seeking more than \$75,000. The jurisdiction amount required for removal under 28 U.S.C. §1332 is met.

8. Defendant was served on May 16, 2020 which is less than 30 days prior to this Notice of Removal being filed pursuant to 28 U.S.C. §1446(b). *See Exhibit 2, Return of Service.*

9. Defendant's counsel is licensed to practice law in the State of Missouri and the United States District Court for the Eastern District of Missouri.

10. Defendant hereby requests a trial by jury on all claims.

11. Counsel for Defendant herewith attaches all pleadings filed in Case No. 20SL-CC01680, pursuant to 28 U.S.C. § 1446(a).

12. Plaintiff did not demand a jury trial in the state court case with her Petition.

WHEREFORE, Defendant Macy's, Inc., herewith removes the above-described case, Cause No. 20SL-CC01680, of the Circuit Court of the 21st Judicial Circuit of St. Louis County, State of Missouri, *Tanisha Jones v. Macy's, Inc.*, to this Court for further proceedings.

**RYNEARSON, SUESS, SCHNURBUSCH
& CHAMPION, LLC**

BY /s/ John P. Kemppainen, Jr.
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CERTIFICATE OF SERVICE

The undersigned further certifies that on June 15, 2020, the foregoing was electronically filed with the Court to be served on all counsel of record via the Federal Courts electronic case filing system.

/s/ John P. Kemppainen, Jr.